



Employment Security Department

WASHINGTON STATE

Workforce Innovation and Opportunity Act Policy Employment System Administration and Policy

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, Employment System Administration and Policy sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

Policy Number: 5410
To: Washington WorkSource System
Effective Date: July 1, 2015
Subject: Dispute Resolution and Appeals

1. Purpose:

To communicate the requirement that Local Workforce Development Boards (LWDBs) have local WIOA dispute resolution policies and processes and to describe the process by which local WIOA disputes will be handled if the State is either a party to the dispute or in the event a dispute cannot be resolved at the local level.

2. Background:

Disputes by LWDBs regarding contracts, allotments, monitoring and oversight outcomes, and administrative agreements and memoranda involving local and/or system partners may occur. Standardized and policies and timely processes for addressing and resolving such disputes is required.

3. Policy:

- a. LWDBs must have local policies and procedures to resolve disputes at the lowest possible level. LWDBs must follow their local policies and procedures and appropriately document local actions and decisions relating to disputes that arise. Only after local policies and procedures have been exhausted can disputes be elevated to the state level.
- b. If the requirements of a local dispute resolution policy and process have been met and the parties to a dispute cannot reach agreement, they may appeal to the Employment Security Department (ESD) Commissioner for resolution. Decisions by the

Commissioner or his/her designee, as the representative of the Governor, will be made in consultation with appropriate local Chief Elected Official(s) and issued within 30 days of receiving appeals.

- c. If one or more of the parties to the dispute is dissatisfied with the ESD Commissioner's decision, the decision can be appealed to the U.S. Department of Labor as described in WIOA Section 181(c).

4. Definitions:

None.

5. References:

Public Law 113-128, Workforce Innovation and Opportunity Act of 2014, Section 181(c) – Grievance Procedure

6. Supersedes:

None.

7. Website:

http://www.wa.gov/esd/1stop/policies/wioa_title1.htm

8. Action:

Local Workforce Development Boards and their contractors, as well as Employment Security Regional Directors, should distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

None.

Direct Inquiries To:

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